

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

MATTHEW J. ERAUSQUIN,

Plaintiff,

v.

Case No: _____

JAGUAR LAND ROVER
NORTH AMERICA, LLC,

Defendant.

NOTICE OF REMOVAL

Defendant, Jaguar Land Rover North America, LLC (“JLRNA”), by its attorneys, Anthony M. Conti, Lindsey Ann Thomas, and the law firm CONTI FENN PLLC, hereby remove to this Court, pursuant to 28 U.S.C. §§ 1332, 1441(a), and 1446, as well as Federal Rule of Civil Procedure 81, an action pending in the Circuit Court for Arlington County, Virginia captioned *Matthew J. Erasquin v. Jaguar Land Rover North America, LLC*; Case No. 013CL20000465-00 (the “State Action”), and in support thereof sets forth the following short and plain statement of the grounds for removal:

1. Plaintiff Matthew J. Erasquin (the “Plaintiff”) filed the Complaint on January 24, 2020. See Summons & Compl, attached as **Exhibit 1**. No defendant other than JLRNA (the “Defendant”) is named in the Complaint. See id. Defendant was not properly served with the Summons or Complaint¹, but Defendant received a copy of the Summons and Complaint on May 20, 2020. See **Exhibit 2**.

¹ Plaintiff served the Summons and Complaint on the Corporation Service Company, which is not JLRNA’s registered agent in Virginia. See **Exhibit 2**.

2. The Complaint seeks damages in the amount of at least \$172,763.22 arising from the purchase and use of a motor vehicle distributed by Defendant. See id. at Compl., p. 5.

3. Plaintiff is a citizen of the Commonwealth of Virginia.

4. JLRNA is incorporated in the State of Delaware, and its principal place of business is located in Mahwah, New Jersey.

5. Removal is appropriate based on diversity of citizenship because the parties are citizens of different states, and the amount in controversy exceeds \$75,000.00. See 28 U.S.C. §§ 1332(a) and 1441(b). Accordingly, this Court may therefore exercise diversity jurisdiction over this matter.

6. **Exhibits 1 and 2** attached hereto contain all process and pleadings received by JLRNA in the State Action (i.e., the Summons, Complaint). The Certificate of Service affixed hereto reflects service of this Notice of Removal on Plaintiff, and the filing of this Notice of Removal in the Circuit Court for Arlington County, Virginia.

7. Pursuant to Federal Rule 81(c)(2)(C), JLRNA's Answer to Plaintiff's Complaint is contemporaneously filed with this Notice of Removal.

8. With the requirements of Sections 1332, 1441(a), and 1446 met, Defendant respectfully requests that the State Action be removed to this Court.

WHEREFORE, Defendant respectfully requests that the State Action be removed to this Court.

Respectfully submitted,

/s/ Lindsey Ann Thomas
Anthony M. Conti (Virginia Bar #76371)
Lindsey Ann Thomas (Virginia Bar #91118)
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36 South Charles Street, Suite 2501
Baltimore, Maryland 21201
Phone (410) 837-6999
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Attorneys for Defendant
Jaguar Land Rover North America, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of June 2020, a copy of the Defendant Jaguar Land Rover North America, LLC's Notice of Removal was sent via first-class mail, postage prepaid to:

Matthew J. Erausquin
Consumer Litigation Associates
1800 Diagonal Road, Suite 600
Alexandria, Virginia 22314

Plaintiff Pro Se

Clerk of the Court
Circuit Court for Arlington County
1425 North Courthouse Road
Arlington, Virginia 22201

/s/ Lindsey Ann Thomas
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